

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-11, 21-25, 29, and 30 are currently pending. Claims 12-20 and 26-28 have been cancelled without prejudice; Claims 1, 11, 21-23, and 25 have been amended; and Claims 29 and 30 have been added by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-28 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-20 of U.S. Patent No. 6,714,971; Claims 1-28 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-49 of co-pending Application No. 10/638,540; Claims 1-22, 25, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,310,692 to Fan et al. (hereinafter “the ‘692 patent”); and Claims 24 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘692 patent in view of U.S. Patent No. 5,901,286 to Danknick et al. (hereinafter “the ‘286 patent”).

Applicants respectfully submit that the double-patenting rejections of the claims are rendered moot by the Terminal Disclaimer filed herewith.

Amended Claim 1 is directed to a method of monitoring a device communicatively coupled to a network, comprising: (1) obtaining, by a first monitoring computer using a first Internet protocol, first device information of the device, the first device information including status information obtained from sensors of the device, and a device identification of the device; (2) storing, by the first monitoring computer, the obtained device information; (3) processing the first device information and stored information of the device monitored by the first monitoring device to generate second device information that includes the first

device information and the stored information; (4) transmitting the second device information using a second Internet protocol from the first monitoring computer to a second computer; and (5) receiving the second device information by the second computer. Further, Claim 1 clarifies that the first monitoring computer is remote from the device, and the first monitoring computer is the first computer to obtain the device information from the device. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.¹

Applicants respectfully submit that the rejection of Claim 1 under 35 U.S.C. § 103 is rendered moot by the present amendment to Claim 1.

The '692 patent is directed to a printer resource management system that includes a database that stores, for a printer, at least one pair of attributes that are representative of a printer resource level and a printer resource threshold for preventive monitoring of the printer resource. Further, the '692 patent discloses that the printer resource manager receives the updated printer resource level from the printer, updates the level in the database, compares the resource level with the corresponding resource threshold to determine whether the corresponding printer resource level is deficient, and generates and outputs an advance notification if the printer resource level is deficient. In particular, as shown in Figure 3, the '692 patent discloses a printer 250, a server 240 having the print resource manager 248, and a client 220. Further, as shown in the flowchart in Figure 4, the notification of the low printer resource level is dependent upon the comparison of the resource level with the threshold.

However, Applicants respectfully submit that the '692 patent fails to disclose the step of processing the first device information and stored information of at least one other device monitored by the first monitoring device to generate second device information, as recited in amended Claim 1. Rather, the '692 patent discloses that if a resource of a printer is low, the server can send a message to the client that the printer resource is low. However, the '692

¹ See, e.g., Figures 16, 18, and 25-28 and the discussion related thereto in the specification.

patent is silent regarding generating second information from first information obtained from a first device, and stored information of at least one other device that is monitored by the first monitoring device, as required by Claim 1. The '692 patent does not disclose that device information that is transmitted to a second computer using a second Internet protocol is obtained by combining information from multiple devices, as that limitation is recited in amended Claim 1. Accordingly, Applicants respectfully submit that amended Claim 1 (and all similarly rejected dependent claims) patentably defines over the '692 patent.

Independent Claims 11, 21, and 25 recite limitations analogous to the limitations recited in Claim 1. Moreover, Claims 11, 21, and 25 have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for reasons analogous to the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that the rejections of Claims 11, 21, and 25 (and all similarly rejected dependent claims) are rendered moot by the present amendment to Claims 11, 21, and 25.

Regarding the rejections of dependent Claims 24 and 28 under 35 U.S.C. § 103, Applicants respectfully submit that the '286 patent fails to remedy the deficiencies of the '692 patent, as discussed above. Accordingly, Applicants respectfully submit that the rejections of Claims 24 and 28 are rendered moot by the present amendment to the independent claims.

Further, Applicants note that Claim 4, which depends from Claim 1, has been amended to clarify that the transmitting step comprises transmitting the second device information to the second computer periodically regardless of a content of the second device information. Applicants respectfully submit that this limitation is not taught or suggested by the '692 patent. The '692 patent discloses sending information when a printer resource is below a particular threshold. The '692 patent does not disclose transmitting information periodically regardless of the content of the information, as required by Claim 4.

Accordingly, Applicants respectfully submit that amended Claim 4 patentably defines over the '692 patent.

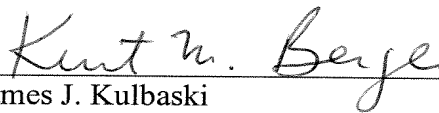
The present amendment also sets forth new Claims 29 and 30 for examination on the merits. New Claims 29 and 30 are computer program product claims corresponding to Claims 1 and 21, respectively. No new matter has been added. Claims 29 and 30 are patentable for the reasons stated above regarding Claims 1 and 21.

Thus, it is respectfully submitted that independent Claims 1, 11, 21, and 25 (and all associated dependent claims) patentably define over any proper combination of the '692 and '286 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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